

13.76.770

MOBILE FOOD BUSINESSES

13.04.040: DEFINITIONS:

MOBILE FOOD BUSINESS: A business that serves food or beverages from a self-contained unit either motorized or in a trailer on wheels, and conducts all or part of its operations on premises other than its own and is readily movable, without disassembling, for transport to another location. The term "mobile food business" shall not include vending carts or mobile ice cream vendors.

MOBILE FOOD COURT: The lot or parcel where ten or less mobile food truck(s) or trailer(s) can be located for the business of selling food as approved by a City of Holladay Land Use Authority.

MOBILE FOOD TRAILER: A mobile food business that serves food or beverages from a nonmotorized vehicle that is normally pulled behind a motorized vehicle. The term "mobile food trailer" shall not include vending carts, mobile food trucks or mobile ice cream vendors.

MOBILE FOOD TRUCK: A mobile food business that serves food or beverages from an enclosed self-contained motorized vehicle. The term "mobile food truck" shall not include vending carts, mobile food trailers or mobile ice cream vendors.

VENDING CART: Includes any nonmotorized mobile device or pushcart from which limited types of products, are sold or offered for sale directly to any consumer, where the point of sale is conducted at the cart.

13.76.770: MOBILE FOOD BUSINESSES:

A. *Mobile Food Business Allowed:*

1. No person shall engage in a mobile food business or employ or hire another to engage in a mobile food business without possessing a valid mobile food vending permit issued by the City of Holladay as provided in Chapter 5 of this code.

2. Persons selling food or beverages from mobile food businesses may do so by use of private property only, except as allowed by subsection 3 of this section. Use of private property by mobile food businesses shall be arranged with the real property owner and proof of such property owner authorization shall be required prior to the issuance of a business license.

3. Persons selling food or beverages from mobile food businesses may do so by use of public property other than a public right of way by permit from the City of Holladay and/or the public entity holding title to that property.

4. Mobile food businesses are allowed only within those zones as allowed by Chapter 13.100 of this title and in accordance with the provisions of this section.

13.76.770

5. Provisions found in this section shall not apply to mobile ice cream vendors, seasonal farm stands and other temporary or seasonal sales or uses that are specifically authorized by this title or other city ordinances.

B. *Business License and Fees Required:* No mobile food business shall continue in operation unless the holder thereof has paid an annual business regulatory fee and has met all applicable requirements as set forth in Chapter 5 of this code, or its successor section for each mobile food business.

C. *Separate Applications:* Separate business license applications shall be required for each mobile food business. Separate business license fees shall be required for each mobile food business vehicle operating under one business license.

D. *Business Activity to Be Temporary:* All business activity related to mobile food businesses shall be of a temporary nature subject to the requirements below:

1. A mobile food truck may not park in one individual location for more than sixteen (16) hours during any twenty four (24) hour period. Any mobile vending truck or trailer shall be removed during the hours of non-operation.

2. The mobile food truck shall be occupied by the owner or operator thereof at all times.

3. No overnight parking is allowed.

E. *Location and Placement Requirements:* The business operating location must be on private property within the specified zones as allowed by Chapter 13.100 of this title, or as otherwise authorized by applicable city ordinance, subject to the requirements below:

1. Parking on a park strip, or otherwise landscaped area is not allowed.

2. A mobile food business shall park on a hard surface. Alternatives to asphalt and cement may be approved by the transportation engineer if the applicant is able to demonstrate that the alternative will not result in the accumulation of debris on the city right of way.

3. Mobile food business vehicles must be parked so that neither the vehicle nor the customers block driveways of existing buildings or uses, or in such a manner as to create a traffic hazard.

4. No mobile food business shall occupy required parking stalls of the primary use.

5. No mobile food business shall interfere with the internal parking lot circulation.

6. Mobile food businesses shall not use the public right of way unless otherwise allowed by ordinance.

13.76.770

7. Any power required for the operation of the mobile food truck shall be self-contained. No use of public or private power sources are allowed without providing written consent from the owner.

8. All materials generated from a mobile food business that are to be disposed of shall be disposed of properly. It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.

9. Mobile food businesses shall comply with all other applicable city ordinances.

F. *Design and Operation Guidelines:* Mobile food trucks operating in the City of Holladay shall comply with the following design requirements:

1. Mobile food truck vehicles shall be designed to meet all applicable Salt Lake Valley Health Department requirements relating to the handling and distribution of food.

2. No mobile vending truck or trailer shall be larger than twenty-four feet long by ten feet high by twelve feet high, provided that the operation of attached venting while the unit is in operation shall not be cause for violation of this paragraph.

3. The mobile food truck shall not have a drive-through.

4. Mobile food truck vehicles shall be kept in good operating condition, no peeling paint or rust shall be visible.

5. A mobile food truck or trailer shall not use bells, chimes, microphones, or loudspeakers as a part of its mobile vending operation. Amplified music shall not be allowed unless the decibel level is within conformance with the Holladay City noise control ordinance, Section 9.48.010 of this code.

6. No mobile food truck vehicle shall operate within **one hundred feet (100')** on the same linear block face of a **door to a restaurant**, unless the application is submitted with the written consent of the proprietor of such restaurant or shop. The consent shall be on forms deemed appropriate by the business license official. Such waiver shall not exempt the applicant from compliance with the other location and distance restrictions of this section.

7. All grounds utilized by a mobile food business shall at all times be maintained in a clean and attractive condition.

8. Trash and recycling containers shall be provided for use of the business patrons.

9. Any enclosures or canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto the public sidewalk or any other part of the public right of way not authorized by the city.

13.76.775

10. A mobile food truck or trailer operating within one hundred feet (100') of a dwelling shall comply with the following additional requirements:

a. All amplified music shall cease at 10:00 p.m.

b. All portable or temporary lighting shall cease at 10: p.m., except that which is required to illuminate the serving area of the mobile food truck or trailer.

c. All portable tables and chairs shall be removed at 10:00 p.m.

G. *Signs*: No signs shall be used to advertise the conduct of a mobile food business at the premises other than that which is physically attached to the vehicle, except temporary signs authorized by section 13.82.210 of this title. (A discussion regarding menu boards is needed here.)

H. *Professional and Personal Services Prohibited*: The performance of professional or personal services for sale shall not be provided from a mobile food business.

I. *Approved Kitchen*: If the mobile food business includes an area for food preparation and/or sale, it must be approved by the Salt Lake Valley Health Department.

13.76.775: MOBILE FOOD COURTS:

A. *Mobile Food Courts A Conditional Use*:

1. Operating a mobile food court is unlawful without first obtaining conditional use approval subject to the qualifying provisions written below as well as those in chapter 13.08.040 of this title.

2. Mobile food courts are allowed by conditional use approval only within the zones as specified by Chapter 13.100 of this title, in accordance with the provisions of this chapter.

3. Provisions found in this section shall not apply to seasonal or temporary sales that are specifically authorized by this title or other city ordinances.

B. *Qualifying Provisions*:

1. A mobile food court is required to be on a parcel of at least two thousand (2,000) square feet in size.

2. No less than two (2) and no more than ten (10) individual mobile food businesses or other authorized vendors are allowed on a parcel.

3. No participating mobile food business or other authorized vendor shall continue in operation at the mobile food court unless the holder thereof has paid an annual business regulatory fee as set forth in Title 5 of this code.

4. All lot size, lot width, and landscaping requirements of the zone in which the mobile food court is approved shall be met prior to the issuance of a permit.
5. Mobile food courts are for the sale of food products only. Retail sale of nonfood items is not permitted.
6. A master sign plan for the mobile food court shall be submitted for review and approval as part of the site plan approval. The plan shall provide information relating to permanent signs for the court, as well as individual signs for each business and shall comply with the requirements of Chapter 13.82 of this Title.
7. All the proposed activities will be conducted on private property owned or otherwise controlled by the applicant and none of the activities will occur on any public right of way.
8. The proposed mobile food court will not impede pedestrian or vehicular traffic in the public way.
9. All activities associated with a mobile food court must comply with all Salt Lake Valley Health Department requirements.
10. A detailed site plan demonstrating the following is required:
 - a. The location and orientation of each vendor pad.
 - b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the international building code, or health department.
 - c. The location of all existing and proposed activities on site.
 - d. The circulation of all pedestrian and vehicle traffic on the site.
 - e. The mobile food court shall not occupy required parking stalls of any primary use of the site.
11. Live music will not be performed in the mobile food court area unless the decibel level is within conformance with the Holladay City noise control ordinance, Section 9.48.010 of this code.
12. Parking for a mobile food court is required at a ratio of one (1) stall per mobile food business. This requirement may be waived by the planning commission as part of the conditional use process. Hard surface paving at the vehicular entrance to the mobile food court, and for each individual mobile food business is required. Alternatives to asphalt and cement

13.76.775

1 may be approved as part of the conditional use process if the applicant is able to demonstrate
2 that the alternative will not result in the accumulation of mud or debris on the city right of way.
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Chapter 13.100

Chapter 13.100: Appendix A-Allowed Uses

Use	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
Accessory uses*:													
Drive-through	-	-	-	-	-	P	-	-	C	P	-	See site development master plan (SDMP)	See Chapter 13.63 of this title
Family food production	P ¹	P ¹	P ¹	-	-	-	-	-	-	-	-		
Flea market/farmers' market	-	-	-	-	-	-	P	-	P	P	P		
Guesthouse and/or caretaker quarters	C ⁹	C ⁹	C ⁹	-	-	-	-	-	-	-	-		
Home daycare/preschool	C ³	C ³	C ³	C ³	C ³	-	-	-	-	-	-		
Home daycare/preschool, small	C ⁴	P ⁴	P ⁴	P ⁴	P ⁴	-	-	-	-	-	-		
Home occupation	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	-	-	-	-	-	-		
Household pets	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	-	-	-	-	-	-		
Livestock, large	P ¹	-	P ¹	-	-	-	-	-	-	-	-		
Livestock, small	P ¹	P ¹	P ¹	-	-	-	-	-	-	-	-		
Merchandise vending machine, outside	-	-	-	-	-	-	-	-	P	P	P		
Mobile Food Trailer						P	P		P	P	P		
Mobile Food Truck						P	P		P	P	P		
Outside dining	-	-	-	-	-	C	C	C	C	C	C		
Outside display	-	-	-	-	-	-	-	C	P	P	P		
Outside storage	-	-	-	-	-	-	-	-	C	C	-		
Resource recycling collection	-	-	-	-	-	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	-		
Seasonal sales	-	-	-	-	-	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³		
Short term rental	-	-	-	C ⁶	C ⁶	-	-	-	-	-	-		
Sportsman's kennel/animal hobby permit	-	-	C ¹¹	C ¹¹	-	-	-	-	-	-	-		
Stable, private	-	-	P ¹	-	-	-	-	-	-	-	-		
Temporary buildings incidental to construction, including living quarters for security	C ¹³	C ¹³	C ¹³	C ¹³	C ¹³	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³		
Temporary sales/use	-	-	-	-	-	-	P ¹³	-	P ¹³	P ¹³	-		
Agriculture:	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
Agriculture	P	P	P	P	P	-	P	-	P	P	-	See SDMP	See Chapter 13.63 of this title
Entertainment and recreation:													
Arcade	-	-	-	-	-	-	-	-	-	P	-	See SDMP	See

Chapter 13.100

Auditorium, exhibit hall, convention center	-	-	-	-	-	P	-	-	C	P	-	Chapter 13.63 of this title	
Motion picture theater, live theater	-	-	-	-	-	-	-	-	P	P	-		
Private nonprofit recreational grounds and facilities	C	C	C	C	C	-	C	-	C	C	-		
Professional, fraternal and social association	-	-	-	-	-	-	-	-	P	P	-		
Recreation, commercial, indoor	-	-	-	-	-	-	-	-	P	P	-		
Recreation, commercial, outdoor	-	-	-	-	-	-	P	-	C	C	-		
Recreation, fitness center	-	-	-	-	-	-	-	-	P	P	P		
Industrial and manufacturing:	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
Building materials sales and services	-	-	-	-	-	-	-	-	P	P	-	See SDMP	See Chapter 13.63 of this title
Disinfecting and exterminating	-	-	-	-	-	-	-	-	-	C	-		
Educational and scientific research, medical/dental laboratories	-	-	-	-	-	P	-	-	P	P	-		
Landscaping installation and maintenance	-	-	-	-	-	-	-	C	P	P	-		
Manufacturing	-	-	-	-	-	C	-	-	C	C	-		
Self-service storage	-	-	-	-	-	-	-	-	-	C	-		
Cemetery	-	-	-	-	-	-	P	-	-	-	-		
Charter school	-	-	-	-	-	-	P	-	-	-	-		
Educational facility, public	-	-	-	-	-	-	P	-	-	-	-		
Public use	-	-	-	-	-	-	P	-	-	-	-		
Quasi-public use	-	-	-	-	-	-	P	-	-	-	-		
Residential:	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
Bed and breakfast	C ²	-	C ²	C ²	C ²	-	-	P	P	P	P	See SDMP	See Chapter 13.63 of this title
Dwelling:													
Multiple-family	-	-	-	-	P	-	-	C ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴		
Single-family	P	P	P	P	-	-	-	-	-	-	-		
Two-family	-	-	-	P	P	-	-	-	-	-	-		
Group homes:													
Assisted living facilities, type I:													
Large	-	-	-	-	C	-	-	-	-	C	-		
Small	-	-	-	-	C	-	-	C	P	P	-		
Limited	-	-	-	P	P	-	-	P	P	P	-		
Assisted living facilities, type II:													
Large	-	-	-	-	-	-	-	-	-	C	-		
Small	-	-	-	-	-	-	-	C	P	P	-		
Limited	-	C	-	C	C	-	-	P	P	P	-		
Nursing home	-	-	-	-	C	-	-	-	-	-	-		
Residential facilities for persons with a disability	P	P	P	P	P	-	-	-	-	-	P		

Chapter 13.100

Residential facility for elderly persons	P	P	P	P	P	-	-	-	-	-	-		
Temporary lodging, hotel, motel, etc.	-	-	-	-	-	P	-	-	C	P	P		
Retail:	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
Alcoholic beverage retail sales:												See SDMP	See Chapter 13.63 of this title
Brewery	-	-	-	-	-	C	-	-	-	C	-		
Club, dining	-	-	-	-	-	C	-	-	-	C	-		
Club, equity	-	-	-	-	-	C	C	-	-	C	-		
Club, fraternal	-	-	-	-	-	C	-	-	-	C	-		
Club, social	-	-	-	-	-	C	-	-	-	C	-		
Off premises	-	-	-	-	-	-	-	P	P	P	P		
On premises banquet and catering	-	-	-	-	-	C	P	-	-	C	P		
On premises beer retailer	-	-	-	-	-	P	P	-	-	P	P		
Restaurant - full service	-	-	-	-	-	P	P	P	P	P	P		
Restaurant - limited service	-	-	-	-	-	P	P	P	P	P	P		
Special event permit	-	P	P	P	P	P	P	P	P	P	P		
Drugstore (pharmacy)	-	-	-	-	-	P	-	P	P	P	P		
Gas station	-	-	-	-	-	C	-	-	C	C	-		
Groceries/food	-	-	-	-	-	C	-	P	P	P	-		
Mobile Food Court	-	-	-	-	-	C	C	-	C	C	C		
Motor vehicle sales, rental (new only)	-	-	-	-	-	-	-	-	-	C	-		
Motorcycle sales, rental	-	-	-	-	-	-	-	-	-	P	-		
Neighborhood market, large	-	-	-	-	-	-	-	-	P	P	P		
Neighborhood market, small	-	-	-	-	-	-	-	-	P	P	P		
Nursery, garden center	-	-	-	-	-	-	-	C	P	P	-		
Recreational vehicles sales, rental	-	-	-	-	-	-	-	-	-	C	-		
Restaurant	-	-	-	-	-	P	-	P	P	P	P		
Retail, general	-	-	-	-	-	C	-	P	P	P	P		
Sexually oriented business	-	-	-	-	-	C	-	-	-	-	-		
Services:	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
Banking and credit	-	-	-	-	C	P	-	-	P	P	-	See SDMP	See Chapter 13.63 of this title
Commercial daycare, preschool	C ¹²	C ¹²	C ¹²	C ¹²	C ¹²	P ¹²	-	C ¹²	P ¹²	P ¹²	P ¹²		
Commercial kennel	-	-	-	-	-	-	-	-	C	C	-		
Commercial stable (on lots of 1 acre or more)	-	-	C	-	-	-	-	-	-	-	-		
Dry cleaning ¹⁵	-	-	-	-	-	-	-	-	P	P	-		
Educational facility, private	-	-	-	-	C	C	C	-	C	C	-		
Equipment rental and leasing	-	-	-	-	-	-	-	-	P	P	-		
Funeral home, crematory	-	-	-	-	C	-	-	-	P	P	-		
Hospital	-	-	-	-	-	C	-	-	-	C	-		
Laundry, self-service, alteration and apparel repair	-	-	-	-	-	-	-	-	P	P	P		

Chapter 13.100

Medical, dental, and related health	-	-	-	-	C	-	-	P	P	P	P		
Motor vehicle repair	-	-	-	-	-	-	-	-	C	P	-		
Nonresidential treatment facility	-	-	-	-	-	-	-	-	-	-	-		
Permanent cosmetics	-	-	-	-	C	P	-	P	P	P	P		
Personal service	-	-	-	-	-	P	-	P	P	P	P		
Pet grooming/pet daycare	-	-	-	-	-	-	-	-	P	P	P		
Professional and business services	-	-	-	-	C	P	-	P	P	P	P		
Reception center	-	-	-	-	C	-	-	-	P	P	-		
Small engine repair, appliance, electrical, and machine repair	-	-	-	-	-	-	-	-	C	P	-		
Veterinary services	-	-	-	-	-	-	-	-	P	P	-		
Transportation, communications, and utility facilities:	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
Local, suburban and interurban transportation	-	-	-	-	-	P	-	P	P	P	-	See SDMP	See Chapter 13.63 of this title
Public parking	-	-	-	-	C	P	P	P	P	P	P		
Radio and television broadcasting studio	-	-	-	-	-	C	-	-	C	C	-		
Utility company, public	C	C	C	C	C	P	C	C	P	P	-		
Utility facility company	C	C	C	C	C	P	C	C	P	P	-		
Wireless telecommunications	See Chapter 13.83 of this title.												
Miscellaneous uses:	All FR Zones	R-1-4, R-1-8, R-1-10, R-1-15	R-1-21, R-1-43, R-1-87	R-2-8/ R-2-10	R-M	O-R-D	P	NC	C-1	C-2	HV	R/M-U	LU
Nonresidential planned unit development	-	-	-	-	C	-	-	-	-	-	-	See SDMP	See Chapter 13.63 of this title
Residential planned unit development	C	C	C	C	C	-	-	-	-	-	-		